



05-04-00

641-3641  
Reg. for C.P.A.  
5-16-00

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Approved for use through 09/30/2000. OMB 0651-0032  
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# CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL

Submit an original, and a duplicate for fee processing.  
(Only for Continuation or Divisional applications under 37 C.F.R. § 1.53(d))

CHECK BOX, if applicable:  
☐ **DUPLICATE**

RECEIVED MAY - 8 2000 7:30 MAIL ROOM	Address to:	Assistant Commissioner for Patents Box CPA Washington, DC 20231
	Attorney Docket No.	960514.CON
	First Named Inventor	John R. Moser, Jr.
	Examiner Name	E. Miller
	Group / Art Unit	3641
	Express Mail Label No.	EL643697259US

This is a request for a ☒ continuation or ☐ divisional application under 37 C.F.R. § 1.53(d), (continued prosecution application (CPA)) of prior application number 09 / 088,163, filed on June 1, 1998, entitled REDUCED ENERGY BINDER FOR ENERGETIC COMPOSITIONS

## NOTES

**FILING QUALIFICATIONS:** The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 C.F.R. § 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. A Notice will be placed on a patent issuing from a CPA, except for reissues and designs, to the effect that the patent issued on a CPA and is subject to the twenty-year patent term provisions of 35 U.S.C. § 154(a)(2). Therefore, the prior application of a CPA may have been filed before, on or after June 8, 1995.

**CH-P NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 C.F.R. § 1.53(d), but must be filed under 37 C.F.R. § 1.53(b).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 C.F.R. § 1.53(h) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 C.F.R. § 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

**35 U.S.C. 120 STATEMENT:** In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request. 37 C.F.R. § 1.78(a).

- ☐ Enter the unentered amendment previously filed on \_\_\_\_\_ under 37 C.F.R. § 1.116 in the prior nonprovisional application.
- ☒ A preliminary amendment is enclosed.
- This application is filed by fewer than all the inventors named in the prior application, 37 C.F.R. § 1.53 (d)(4).
  - ☐ **DELETE** the following inventor(s) named in the prior nonprovisional application:  
.....
  - ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
- ☐ A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
- Information Disclosure Statement (IDS) is enclosed: 05/05/2000 STEFERRA 00000070 09088163
 

a. <input type="checkbox"/> PTO-1449	01 FC:103	126.00 OP
b. <input type="checkbox"/> Copies of IDS Citations	02 FC:102	312.00 OP
	03 FC:131	690.00 OP

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CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
TOTAL CLAIMS (37 C.F.R. § 1.16(c) or (f))		27 -20* =	7	x \$18.00 =	\$ 126.00
INDEPENDENT CLAIMS (37 C.F.R. § 1.16(b) or (f))		7 -3** =	4	x \$78.00 =	312.00
MULTIPLE DEPENDENT CLAIMS (if applicable) (37 C.F.R. § 1.16(d))				+ \$ _____ =	
				BASIC FEE (37 C.F.R. § 1.16)	690.00
				Total of above Calculations =	
Reduction by 50% for filing by small entity (Note 37 C.F.R. §§ 1.9, 1.27 & 1.28).					
* Reissue claims in excess of 20 and over original patent. ** Reissue independent claims over original patent.				TOTAL =	1128.00

6. Small entity status:

- a. ☐ A small entity statement is enclosed, if (b) and (c) do not apply.  
b. ☐ A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.  
c. ☐ Is no longer claimed.

7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 08 - 1265:

- a. ☐ Fees required under 37 C.F.R. § 1.16.  
b. ☐ Fees required under 37 C.F.R. § 1.17.  
c. ☐ Fees required under 37 C.F.R. § 1.18.

8. ☒ A check in the amount of \$ 1128.00 is enclosed.

9. ☐ Other: .....

**NOTE:** The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below.

10. NEW CORRESPONDENCE ADDRESS

☐ Customer Number or Bar Code Label



or ☐ New correspondence address below

(Insert Customer No. or Attach bar code label here)

Name	C. G. Mersereau				
	NIKOLAI, MERSEREAU & DIETZ, P.A.				
Address	900 Second Avenue South				
	Suite 820				
City	Minneapolis	State	MN	Zip Code	55402
Country	USA	Telephone	612-339-7461	Fax	612-349-6556

11. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	C. G. Mersereau
Signature	
Registration No. (Attorney/Agent)	26,205
Date	May 3, 2000



Express Mail Label #EL-643697259-US  
PATENT APPLICATION  
Our File No. 960514.CON

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re App : John R. Moser, Jr. : May 3, 2000  
S.N. : 09/088,163 : Art Unit 3641  
Filed : June 1, 1998 : Examiner E. Miller  
For : REDUCED ENERGY BINDER FOR  
ENERGETIC COMPOSITIONS

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CERTIFICATE OF MAILING VIA EXPRESS MAIL

Box CPA  
The Commissioner of Patents and Trademarks  
Washington, D. C. 20231

Sir:

I hereby certify that the following:

1. Continued Prosecution Application (CPA) Request Transmittal for a Continuation application of prior complete co-pending application Serial No. 09/088,163, filed June 1, 1998, consisting of 2 pages;
2. A Preliminary Amendment;
3. A check in the amount of \$1128.00 to cover the filing fee in connection with the above-identified patent application are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Box CPA, Commissioner of Patents and Trademarks, Washington, D. C. 20231, under Express Mail Post Office to Addressee Label No. EL-643697259-US.

Respectfully submitted,

NIKOLAI, MERSEREAU & DIETZ, P.A.

*Barbara L. Davis*

Barbara L. Davis  
Secretary to C. G. Mersereau  
Attorney for Applicant